

Investigative and Enforcement Services**Settlement Agreement**

USDA, APHIS, IES
4700 River Road, Unit 85
Riverdale, MD 20737
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RESPONDENT:

John Manning, Jr., Ph.D.
Vanderbilt University
AA6206 Medical Center North
Nashville, TN 37232

UPDATED
CASE NUMBER TN08060-AC
DUE ON OR BEFORE July 15, 2010
CONTACT PHONE Jennifer Jackson
301-734-0890

DATE	CITATION	DESCRIPTION
04/04/2008	9 C.F.R. § 2.38(f)(1)	Miscellaneous. <i>Handling.</i> Failed to ensure that all animals were removed from fabric nesting boxes prior to them being washed. One infant galago monkey was found dead in the washing machine after the nesting boxes had been washed.
09/26/2008 10/02/2008	9 C.F.R. § 2.38(f)(1)	Miscellaneous. <i>Handling.</i> On 09/26/2008, failed to ensure that the approved experimental compound being administered to hamsters was mixed in the appropriate carrier. As a result of this error, one hamster was found dead and another had to be euthanized on 09/29/2008. On 10/02/2008, failed to ensure that hamsters were injected with the compound approved by protocol. As a result of this error, one hamster became ill and was euthanized. Two other hamsters that received the same injections were later euthanized.

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PENALTY \$ 8,156.00

TERMS

Titles 7, 15, 19, and 21 of the United States Code authorize the Secretary of Agriculture to impose civil penalties and other sanctions to resolve violations after providing notice and opportunity for a hearing.

You may waive your right to a hearing and agree to pay the specified civil penalty in settlement of this matter. If you do not agree to the specified penalty, a complaint shall be issued charging you with the violation(s) and seeking higher penalties. You will have the opportunity for a hearing before an Administrative Law Judge to present your case.

I acknowledge that I have been given an opportunity for a hearing and waive such hearing. I neither admit nor deny the violations cited above and agree to pay the civil penalty in full settlement of this matter.

Signature of Respondent:

Date:
7-14-08

PAYMENT RECORD - FOR IES USE ONLY

Payment Type	Date	Amount	Signature of IES Representative

(Continuation Page)

DATE

CITATION

DESCRIPTION

DATE	CITATION	DESCRIPTION
12/16/2008	9 C.F.R. § 2.31(e)(3)	<p>Institutional Animal Care and Use Committee (IACUC).</p> <p>Failed to ensure that Protocol M/07/044 included a complete description of the proposed use of the animals to allow the IACUC to make a determination that the proposed activities were in accordance with the Animal Welfare regulations.</p>